

Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,

v.

ANDREY TURCHIN,  
a/k/a, "fxmsp," *et al.*,  
Defendant.

NO. CR18-303RAJ

*EX-PARTE* MOTION TO UNSEAL  
CHARGING DOCUMENTS AND  
ARREST WARRANTS FOR LIMITED  
PURPOSE

*Filed Under Seal*

The United States of America, by and through Brian T. Moran, United States Attorney for the Western District of Washington, and Steven T. Masada, Assistant United States Attorney, submits this *ex-parte* motion for an Order unsealing the charging document(s) and arrest warrant issued for the defendant, ANDREY TURCHIN, a/k/a, "fxmsp," "Andej Turchin," "Adik Dalv," and "Vadim bld," and any future defendants in the above-captioned case, for the limited purpose of facilitating arrests, extraditions, searches, and interviews of existing and future defendants. The documents otherwise should remain under seal. The United States further requests that the Court seal this request and ensuing Order.

1 U.S. authorities are investigating a prolific, financially motivated cybercriminal  
2 group composed of foreign actors that has hacked, and continues to hack, the computer  
3 networks of a broad array of corporate entities, educational institutions, and governments  
4 in various countries, including the United States. The group thereafter advertises and  
5 sells such unauthorized access to its victims' protected systems to interested buyers,  
6 typically, other cybercriminals, on various online forums. To date, the group has claimed  
7 access to a total of over 300 corporate networks of various entities in dozens of countries  
8 (i.e., approximately 40) across six continents, which includes at least 34 U.S. victims.

9 On December 12, 2018, a Grand Jury sitting in this District returned an Indictment  
10 (Dkt. #1), under seal, charging ANDREY TURCHIN with five (5) felony counts arising  
11 from his illegal scheme. An arrest warrant was issued and remains under seal.

12 The United States seeks to pursue the arrest and possible extradition of the  
13 defendant, a non-U.S. citizen located in a foreign country, believed to be the Republic of  
14 Kazakhstan. The United States anticipates that other parties may be charged in this  
15 matter. The United States seeks permission to provide the sealed Indictment and Arrest  
16 Warrant, and any future superseding indictment(s) and arrest warrant(s) in this matter, to  
17 the appropriate United States and foreign authorities, which would include providing the  
18 documents to government officials, foreign police and prosecuting authorities, and  
19 foreign courts, as necessary.

20 Unsealing the documents for a broader purpose would have a detrimental impact  
21 on the investigation and the interests of justice. For instance, premature unsealing would  
22 create a substantial risk that the defendant and/or his co-conspirators will learn of the  
23 criminal investigation and charges, and will take steps to thwart the efforts of law  
24 enforcement, alter criminal activity, evade arrest, and destroy or tamper with evidence.  
25 Notably, it is significant that, given the nature of the criminal conduct, the threat actors,  
26 including the defendant, are in possession of confidential victim information and are  
27 believed to have ongoing unauthorized access to numerous victim computer networks.  
28 Premature notice therefore also places the numerous hacking victims in peril of additional

1 harm. Accordingly, the United States requests that the charging document(s) and arrest  
2 warrant(s) remain under seal for all other purposes, so as not to prematurely alert the  
3 defendant and his co-conspirators to the investigation or charges. For the same reasons,  
4 the United States requests this Motion and any ensuing Order be filed under seal.

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6 DATED this 13<sup>th</sup> day of February, 2019.

7 Respectfully submitted,

8 BRIAN T. MORAN  
9 United States Attorney

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